

No. 57372

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

AUG 25 1999

Date of filing in State Engineer's Office - APR 01 1992 - NEW PRIORITY DATE: AUG 19 1994Returned to applicant for correction APR 27 1992

Corrected application filed \_\_\_\_\_

Map filed AUG 24 1965 under 22699The applicant Spirit Mountain Utility Company, a Nevada Corporation,Box 430Street and No. or P.O. Box No.of Cal-Nev-AriCity or TownNevada, 89039State and Zip Code No.

hercby make<sup>s</sup> application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) July 14, 1986, Las Vegas, Nevada

1. The source of the proposed appropriation is Underground, Piute Valley Artesian Basin  
Name of stream, lake, spring, underground or other source  
(existing well)

2. The amount of water applied for is 0.802 second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet \_\_\_\_\_

3. The water to be used for Quasi-Municipal- Domestic  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated \_\_\_\_\_

(b) Stockwater, state number and kinds of animals to be watered \_\_\_\_\_

(c) Other use (describe fully under No. 12. "Remarks") \_\_\_\_\_

(d) Power:

(1) Horsepower developed \_\_\_\_\_

(2) Point of return of water to stream \_\_\_\_\_

5. The water is to be diverted from its source at the following point The SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  Section 30,  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
Township 30 South, Range 64 East, M.D.M. at a point from which the northwest  
corner bears North 29° 30' West a distance of 4875 feet.

6. Place of use West One-Half (W $\frac{1}{2}$ ) of Section 30, Township 30 South, Range 64 East,  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.  
M.D.M., consisting of 320 acres less the Right-of Way of Highway 93.

7. Use will begin about January 1st and end about December 31st of each year.  
Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water is diverted to a 5000 gallon and two  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
2100 gallon and one 175,000 gallon storage tanks.  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....
10. Estimated time required to construct works Well 750 feet deep; 12 3/4 inch casing.  
If well completed, describe works.  
Equipped with meter at well head.
11. Estimated time required to complete the application of water to beneficial use One year.
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:  
Water to supply 106 existing Trailer Estate Lots; 61 proposed Trailer Estate  
Lots, 1/4 acre each. Existing Commercial/Trailer Court, Service Station, Bar  
Casino, CoffeeShop with Restaurant, Laundromat, together with future subdivision  
construction.

By s/Ben G. Sweet Agent  
Ben G. Sweet  
P.O. Box 91509  
Henderson, NV 89009

Compared bc/bc pm/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.802 cubic feet per second, but not to exceed 10.238 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 4, 1994

Proof of completion of work shall be filed before June 4, 1994

Application of water to beneficial use shall be filed on or before May 4, 1998

Proof of the application of water to beneficial use shall be filed on or before June 4, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed OCT 21 1994

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. 106 Issued AUG 11 1994

~~CANCELLED~~ BECAUSE OF FAILURE

~~OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

~~10-20-94~~

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IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 4th day of May

A.D. 93

R. Michael Turnipseed, P.E.  
 State Engineer

~~CANCELLED~~ AUG 5 1999 ~~BECAUSE OF FAILURE~~

~~OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

~~11-22-99~~

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(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The total combined duty of water under Permit 30408, Certificate 10091; Permit 35409, Certificate 13596 and Permit 57372 shall not exceed 27.3 million gallons annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

